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## JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names:

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled EXPRESSION MONITORING FOR GENE FUNCTION IDENTIFICATION the specification of which

☐ is attached hereto.

☒ was filed on May 29, 1998, as Application Serial Number 09/036,286 and was amended on \_\_\_\_\_ (if applicable).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

## Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (Month/Day/Year)	Date of Issue (Month/Day/Year)	Priority Claimed Under 35 U.S.C. § 119

## Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, § 120 of the United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

Application Serial Number	Date of Filing (Month/Day/Year)	Status - Pending, Abandoned
60/035,327	01/13/1997	Abandoned
08/629,115	09/16/1995	Pending
08/870,118	06/25/1996	Pending
08/168,804	12/15/1993	Abandoned
07/624,114	12/6/1990	Abandoned
07/362,901	6/7/1989	Abandoned

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys who are all members of the Bar of the District of Columbia, their registration numbers being listed after their names:

Joseph M. Skerpon, Registration No. 29,884; Sarah A. Kapan, Registration No. 32,141; Pamela I. Banner, Registration No. 33,644; Philip L. McGarrigle, Reg. No. 31,395; Vern Norviel, Registration No. 32,483 and Nancy J. DeSantis-Vannice, Registration No. 37,608.

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All correspondence and telephone communications should be addressed to Banner & Witcoff, Ltd., Eleventh Floor, 1001 G Street, N.W., Washington, D.C. 20001-4597, telephone number (202) 508-9100, which is also the address and telephone number of each of the above listed attorneys.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature David H. Mack Date 9/9/98  
Full Name of First Inventor MACK David H  
Family Name First Given Name Second Given Name  
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